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Message Text

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ACTION OES-07

INFO OCT-01 AF-10 ARA-10 EA-10 EUR-12 NEA-10 ISO-00
L-03 IO-13 ACDA-07 FEAE-00 COME-00 INT-05 NSF-01
CIAE-00 DODE-00 INR-07 NSAE-00 PA-01 USIA-06
PRS-01 SP-02 DOTE-00 CG-00 CEQ-01 SS-15 NSC-05
EPA-01 OIC-02 /130 W
----------088013 291618Z /41
P 291410Z SEP 77
FM AMEMBASSY LONDON
TO SECSTATE WASHDC PRIORITY 8810

C O N F I D E N T I A L SECTION 01 OF 02 LONDON 16246

FROM USDEL ANTARCTIC

E.O. LL652 GDS
TAGS: XV, TGEN, EMIN
SUBJECT: ANTARCTIC TREATY: LEGAL/POLITICAL WORKING
GROUP ON MINERAL RESOURCES
REF: LONDON L623L

L. SUMMARY: FIRST SESSION OF LEGAL/POLITICAL WORKING GROUP ON MINERAL RESOURCES CHARACTERIZED BY A GENERAL EXCHANGE OF VIEWS. US DEL OUTLINED US POLICY OF RESTRAINT, INCLUDING POSITION ON MORATORIUM. ALL EXCEPT SOVIET DEL RECOGNIZED IMPORTANCE OF ISSUE AND NECESSITY OF PROGRESS, ALTHOUGH VIEWS ON NATURE OF REGIME DIFFERED. CHILEAN AND SOVIET DELS SUPPORTED MORATORIUM. OTHER DELS EXPRESSED VARYING VIEWS ON WHETHER THE

RESTRAINT POLICY SHOULD BE IN THE FORM OF A MORATORIUM OR VOLUNTARY RESTRAINT. END SUMMARY

2. TERMS OF REFERENCE FOR LEGAL/POLITICAL WORKING GROUP ON ANTARCTIC MINERAL RESOURCES WERE FORMALLY APPROVED IN PLENARY ON AFTERNOON OF SEP 28. IN RESPONSE CONFIDENTIAL

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TO THE REQUEST OF BELTRAMINO, DELS INITIATED A GENERAL EXCHANGE OF VIEWS.

3. FRANCE SPOKE FIRST AND CITED FOUR PRINCIPLES SET FORTH IN THE FINAL REPORT OF PARIS PREPARATORY MEETING AS STARTING POINT FOR WORK OF CONSULTATIVE MEETING ON THIS SUBJECT. FRENCH DEL INDICATED IT WAS "MORE INCLINED

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TO SUPPORT VOLUNTARY RESTRAINT" THAN A MORATORIUM AS THE MOST EFFECTIVE MEANS OF ENSURING "CONCERTED EVOLUTION" ON THIS ISSUE. AS TO THE BASIC REGIME, FRENCH REP INDICATED A DESIRE TO WORK AS QUICKLY AS POSSIBLE WITHOUT UNDUE HASTE. THE INSTITUTIONAL ARRANGEMENTS SHOULD PROTECT THE ENVIRONMENT, GRANT LICENSES TO THOSE COMPLYING WITH THE PROVISIONS OF THE COMMON AGREEMENT AND SHOULD NOT GIVE ONE PARTY "EXCESSIVE RIGHTS" IN A GIVEN AREA. THE ARRANGEMENTS SHOULD ENCOMPASS THE ENTIRE TREATY AREA AND SHOULD BE OPEN TO OTHER COUNTRIES IF THEY ACCEPT RULES "WHICH THE CONSULTATIVE PARTIES HAVE DEVELOPED".

4. BELGIAN DEL STRESSED THE IMPORTANCE AND URGENCY OF THIS ISSUE AND FAVORED ARTICLE IX OF THE TREATY AS THE MOST SATISFACTORY MEANS FOR DEALING WITH THE MINERALS QUESTION.

5. CHILE, CITING THE "FOUR PARIS PRINCIPLES", INDICATED A DESIRE TO FACE THIS DIFFICULT POLITICAL ISSUE, AND FAVORED AGREED MEASURES UNDER ARTICLE IX AS THE BEST METHOD, "IF POSSIBLE". CHILEAN DEL STRESSED IMPORTANCE OF PRESERVATION OF POLITICAL BALANCE WITHIN THE TREATY AND RESPECT FOR RIGHTS OF THIRD COUNTRIES--"THE WELL-BEING OF MANKIND AS DISTINCT FROM THE COMMON HERITAGE". CHILEAN REP REJECTED VOLUNTARY RESTRAINT AND STRONGLY CONFIDENTIAL

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FAVORED A MORATORIUM AS FUNDAMENTAL TO CONCERTED DEVELOPMENT.
6. THIS WAS FOLLOWED BY INTERVENTION OF USDEL, REPORTED REFTEL.

7. JAPANESE DEL STATED ATTITUDE OF GOJ HAD BECOME MORE FLEXIBLE AND IT WOULD NO LONGER INSIST ON A MORATORIUM.

8. SOVIET DEL STATED IT WAS IMPOSSIBLE TO SPEAK OF COMMERCIAL DEVELOPMENT UNTIL WE KNOW MORE ABOUT THE RESOURCES AND INDICATED, AS THEY HAD IN THEIR OPENING STATEMENT, STRONG SUPPORT FOR A MORATORIUM.

9. ARGENTINE REMARKS SUPPORTED PROGRESS AND ELABORATED GENERAL PRINCIPLES BASED LARGELY UPON TREATY. ARGENTINE REP STATED THAT PARTIES SHOULD "RESTRAIN THEMSELVES FROM UNDERTAKING MINERAL ACTIVITIES IN ANTARCTICA" PENDING TIMELY, UNANIMOUSLY AGREED SOLUTIONS.

10. NORWEGIAN REP STATED THAT GON WOULD HAVE NO DIFFICULTY AGREEING TO A MORATORIUM, SHOULD THAT BE THE CONSENSUS. FOCUS OF NORWEGIAN REMARKS CENTERED ON THE DEFINITIONAL

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PROBLEM OF THE SORTS OF ACTIVITIES THAT WOULD BE

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ACTION OES-07

INFO OCT-01 AF-10 ARA-10 EA-10 EUR-12 NEA-10 ISO-00
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CIAE-00 DODE-00 INR-07 NSAE-00 PA-01 USIA-06
PRS-01 SP-02 DOTE-00 CG-00 CEQ-01 SS-15 NSC-05
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C O N F I D E N T I A L SECTION 02 OF 02 LONDON 16246

COVERED BY RESTRAINT OR MORATORIUM POLICY. GON APPEARED TO CONSIDER EXPLORATORY DRILLING AS THE MOST PRACTICAL POINT AT WHICH TO APPLY RESTRAINT/MORATORIUM. ALL ACTIVITIES BEFORE THAT POINT WOULD BE ALLOWED, BUT SUBJECT TO THE PRIOR NOTIFICATION AND EXCHANGE PROVISIONS OF THE TREATY.

11. UK DEL REITERATED SUPPORT FOR THE FOUR "PARIS PRINCIPLES", AND URGED PROGRESS ON THIS ISSUE. UK DEL INDICATED "ACCEPTABILITY" OF A MORATORIUM WOULD BE DEPENDENT UPON WHETHER CONSULTATIVE PARTIES AGREE TO WORK ACTIVELY TOWARD ACHIEVING A REGIME AND THAT ANY MORATORIUM WOULD BE FOR A STATED PERIOD OF TIME.

12. NEW ZEALAND DELEGATE STATED HE DID NOT BELIEVE ATTAINMENT OF AGREEMENT, WHICH GONZ BELIEVES TO BE ABSOLUTELY ESSENTIAL, "WILL NECESSARILY BE ADVANCED BY CREATION OF A MORATORIUM". IF THERE IS TO BE A MORATORIUM, GONZ BELIEVES IT SHOULD BE SUBJECT TO RENEWAL AT EACH CONSULTATIVE MEETING AND DEPENDENT ON PROGRESS TOWARD THE ACHIEVEMENT OF A REGIME.
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13. AUSTRALIAN REP OUTLINED THE PROGRESS ACHIEVED TO DATE ON MINERALS QUESTION AND EMBRACED THE FOUR "PARIS" PRINCIPLES, ADDING A FIFTH PRINCIPLE TO THE EFFECT THAT "ANY SOLUTION AT WHICH WE ARRIVE SHOULD NOT BE ESSENTIALLY DESTRUCTIVE OF THE POSITION OF ANY CONSULTATIVE PARTY". AUSTRALIA STRONGLY EMPHASIZED THE IMPORTANCE OF A PUBLICLY ANNOUNCED POLICY OF SOME FORM OF RESTRAINT TO DEMONSTRATE TO THE OUTSIDE WORLD THE SENSE OF RESPONSIBILITY OF THE ANTARCTIC TREATY PARTNERS, SUCH AS BY A STRAIGHTFORWARD RECOMMENDATION. (THE EXTENT OF THE PRESENT POLICY OF VOLUNTARY RESTRAINT CAN ONLY BE FOUND BY READING BOTH RECOMMENDATION VIII-14 AND THE FINAL REPORT OF THE EIGHTH CONSULTATIVE MEETING). AUSTRALIAN REP NOTED ANY MORATORIUM MUST BE WITHOUT PREJUDICE TO ARTS. II AND III OF THE TREATY AND NOTED THE QUALITATIVE AND TIME SPAN QUESTIONS WHICH WOULD NEED TO BE RESOLVED IN WORKING OUT A MORATORIUM. AUSTRALIA WENT ON TO STATE ITS WILLINGNESS TO WORK ON "THIS IMPORTANT PART OF AUSTRALIAN INSTRUCTIONS" TO ATTAIN A PUBLIC AND UNEQUIVOCAL DECLARATION OF POLICY IN THIS RESPECT.

14. COMMENT. OPENING EXCHANGES INDICATED A GENERAL RECOGNITION OF THE NEED TO MAKE PROGRESS ON THE MINERALS QUESTION. IT IS UNCLEAR AT THIS POINT WHETHER A CONSENSUS IN FAVOR OF SOME FORM OF MORATORIUM WILL EMERGE, ALTHOUGH DEL HAS HAD PRIVATE INDICATIONS THAT THIS IS A POSSIBILITY. WHILE STRESSING U. S. SUPPORT FOR THE POLICY OF VOLUNTARY RESTRAINT, US DEL, WHEN QUERIED AS TO NATURE OF AN "ACCEPTABLE" MORATORIUM, EXPRESSED PRELIMINARY VIEW THAT ANY MORATORIUM SHOULD BE LINKED WITH PROGRESS ON A SATISFACTORY MINERALS REGIME AND SHOULD BE TIME CERTAIN.

STREATOR

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